

REMARKS

Applicant's attorney would like to thank the Examiner for the courtesies extended during the telephone conversation of July 25, 2005, wherein the merits of the addition of the phrase "non-human" to the claims were discussed to overcome the present rejections.

Claims 1, 4, 10, 13, 18, 22, and 23 have been amended to recite "non-human neural networks" which is believed to overcome the present rejections for the reasons to be described hereinafter.

Claims 1, 3-10, 12-18, and 20-23 stand rejected under 35 USC §102(b) as being anticipated by Greenwald et al (U.S. Patent 6,330,106B1). Applicant has amended claims 1, 4, 10, 13, 14, 18, 22, and 23 in a manner believed to overcome these rejections for the reasons given hereinbelow.

The Examiner on page 6 of the present Office Action of 7/12/05, with regard to the primary reference of Greenwald et al, states:

"Greenwald teaches that the microscope assembly is controlled used a user control panel (64). The user in Greenwald is a human which inherently has an adaptive neural network in the brain. Therefore Greenwald inherently teaches the use of neural network to control the robotic system of the microscope." (emphasis added)

Independent claims 1, 10, and 18 have been amended to recite a computer (non-human)...having operating programs comprising machine vision techniques..., said machine vision techniques having routines for non-human adaptive neural networks that operatively control said robotic system. Greenwald et al are devoid of any non-human adaptive neural networks.

Claims 4, 13, 22, and 23 have been amended to recite said machine vision techniques for non-human adaptive neural networks also control positioning of said video microscope, which, in turn, controls positioning of said camera. Greenwald et al are devoid of any discussion of any non-human neural network, particularly any non-human adaptive neural network for operatively controlling a robotic system.

Claims 2, 3, 8-9, 12-17, and 20-21 are dependent on either independent claims 1, 10 or 18 and thus in the context of their independent claims recite further details of applicant's invention. These dependent claims are considered patentably distinguishable for the reasons given for their independent claims.

Nothing within the four corners of Greenwald et al being devoid of non-human adaptive neural networks anticipates, teaches, or suggests the subject matter of claims 1, 3-10, 12-18, and 20-23.

For the reasons given hereinabove, it is respectfully solicited that the 35 USC §102(b) rejection of claims 1, 3-10, 12-18, and 20-23 be withdrawn and that these claims be found allowable.

Claims 2, 11, and 19 stand rejected under 35 USC §103(a) as being unpatentable over Greenwald et al in view of Knebel et al (U.S. Patent 6,388,804B1). Applicant respectfully disagrees with this rejection for the reasons given hereinbelow.

Knebel et al disclose the use of conformal laser scanning microscope. However, more particularly, Knebel et al do not fill the void of Greenwald et al in that Knebel et al do not disclose nor suggest applicant's invention recited in independent claims 1, 10, and 18 as "said machine vision techniques including routines for non-human adaptive neural networks that operatively control said robotic system."

Assuming for the sake of discussion, that the references of Greenwald et al and Knebel et al are combinable, even though neither reference makes such a suggestion, the resulting combination would still be devoid of applicant's recited invention of claims 1, 10, and 18 as "said machine vision techniques including routines for non-human adaptive neural networks that operatively control said robotic system."

Claims 2, 11, and 19 are respectively dependent on independent claims 1, 10, and 18, and thus in the context of the independent claims recite further details of applicant's

invention. These claims are considered patentably distinguishable for the reasons given for their independent claims.

For the reasons given hereinabove, it is respectfully solicited that the rejection of 35 USC §103(a) of claims 2, 11, and 19 be withdrawn and that these claims be found allowable.

Claims 24-26, and 33 stand rejected under 35 USC §103(a) as being unpatentable over Greenwald et al in view of Abdel-Fattah (U.S. 2004/0218798). Applicant respectfully disagrees with this rejection for the reasons given hereinbelow.

Abdel-Fattah et al disclose a video microscopic visualization system and imaging processing and data extraction, as well as processing methods for in situ detailed quantification of depositions of sub-micrometer particles.

In a manner similar to Knebel et al, Abdel-Fattah et al do not fill the void of Greenwald et al. More particularly, Abdel-Fattah et al do not disclose or suggest applicant's independent claims 1, 10, and 18 reciting "said machine vision techniques including routines for non-human adaptive neural networks that operatively control said robotic system."

Assuming for the sake of discussion that the Examiner's references of Greenwald et al and Abdel-Fattah et al are combinable, even though neither reference makes such a

suggestion, the resulting combination would still be devoid of applicant's invention recited in independent claims 1, 10, and 18 as "said machine vision techniques including routines for non-human adaptive neural networks that operatively control said robotic system."

Claims 24-26, and 33 are directly or indirectly dependent on applicant's independent claims, and thus in the context of applicant's independent claims recite further details of applicant's invention. Applicant's dependent claims 24-26, and 33 are considered patentably distinguishable over the cited references for the reasons given for applicant's independent claims.

For the reasons given hereinabove, it is respectfully solicited that the 35 USC §103(a) rejection of claims 24-26, and 33 be withdrawn and that these claims be found allowable.

In summary, it is believed that claims 1-5, 7-14, and 16-26, as well as claim 33, are in condition for allowance and such allowance is respectfully solicited.

Respectfully submitted

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